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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,335	02/01/1999	XINZHONG LEON XU	99-P-7449-US	8596

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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

TEAGUE, TERRY D

ART UNIT PAPER NUMBER

2645

DATE MAILED: 05/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/241,335

Applicant(s)

XU, XINZHONG LEON

Examiner

Terry Teague

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 6) ☐ Other:

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 3, line 7, the word "take" should be "takes". On page 6, line 21, "26" should be "206".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 15, and 24, it is unclear whether the claimed "general-purpose blocks" should be interpreted as a software configuration or a hardware configuration both software and hardware configurations.

Claims 2-14 depend from rejected claim 1 and include all the limitations of claim 1 thereby rendering these dependent claims indefinite.

Claims 16-23 depend from rejected claim 15 and include all the limitations of claim 15 thereby rendering these dependent claims indefinite.

Claims 25-26 depend from rejected claim 24 and include all the limitations of claim 24 thereby rendering these dependent claims indefinite.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Greco et al U.S. Patent 5,488,650 (hereinafter Greco et al.).

Regarding claim 1 and 15, Greco et al. discloses a system for creating and operating menu structures for any logic device that can be operated via a telephone (Column 3, lines 38-40 fig. 1 & fig. 2). The system allows the user to create separate sets of menus [plurality of general-purpose blocks] (column 4, lines 6-12). The user has the option of switching from one set of menus to another set of menus [each general-purpose block being coupled to at least one other general-purpose block] (column 4, lines 33-37). The user can configure all sets of menus to have prompts [each general-purpose block plays a prompt] (column 11, lines 31-32).

Memory tables for sets of menus [general-purpose blocks] can be constructed (column 9, lines 24-25 Table 1 & Table 2 & fig. 3). Using figure 3, Table 1, and Table 2, menu sets [general-purpose blocks] can be configured to send a first signal (page 3A). By inserting a number less than zero in Prompt Number of menu 1 in menu set A below, the prompt is bypassed (column 11, lines 53-54). The system introduction prompt is spoken to the user with action code 129 (column 9, Table 2). The Next Menu Number of menu 1 in menu set A (page 3A below) can be configured to enable menu set A to send a signal [first signal] to menu set B. By inserting menu number 50 into Next Menu Number of menu 1 in menu set A, a signal [first signal] is sent to

Menu Number	Prompt Number	Seconds To Wait	Times To Repeat	Action For Touchtone Response												No Response Action	Next Menu Number	Error Action
				0	1	2	3	4	5	6	7	8	9	*	#			
1	-1	0	0	129	129	129	129	129	129	129	129	129	129	129	129	129	50,2	129
2	200	3	0	4	75	4	4	4	4	4	4	4	4	4	4	3		
3	201	0	0													2	2	
4	202	0	0													2	2	

Menu Set A

Menu Number	Prompt Number	Seconds To Wait	Times To Repeat	Action For Touchtone Response												No Response Action	Next Menu Number	Error Action
				0	1	2	3	4	5	6	7	8	9	*	#			
50	-1	0	0													105		

Menu Set B

Menu Number	Prompt Number	Seconds To Wait	Times To Repeat	Action For Touchtone Response												No Response Action	Next Menu Number	Error Action
				0	1	2	3	4	5	6	7	8	9	*	#			
75																105		

Menu Set C

menu set B after the prompt is played [configurable to send a first signal after playing the prompt] (column 5, lines 34-37). By inserting number 2 into Next Menu Number of menu 1 in menu set A, a signal [second signal] is sent from menu set A to menu set C if the caller presses "1" after prompt 200 is played (column 11, lines 44-47, column 5, lines 31-39) [send a second signal according to received input after playing the prompt].

Regarding claim 2 and 16, Greco et al. discloses each general-purpose block (menu set) plays a prompt by accessing a sound file (column 5, lines 18-20 fig. 1).

Regarding claim 3, Greco et al. discloses inserting different prompt numbers in the Prompt Numbers slot of a memory table re-configures the prompts [the sound file accessed by each general-purpose block can be configured] (column 11, lines 31-32 column 11, lines 19-21).

Regarding claim 4, menu set A (page 3A above) [general-purpose block] can be configured to send a signal [second signal] according to received input from the caller, as used in the rejection of claim 1 above. It is obvious to one with ordinary skill in the art that caller input is received.

Regarding claims 5 and 18, Greco et al. discloses the general-purpose block receives the input by receiving a key (column 6, lines 37-40 fig. 4).

Regarding claims 6 and 19, Greco et al. discloses the key or string of keys represents dual tone multiple frequency (DTMF) information (column 6, lines 37-40). It is inherent that the keypad information from the telephones 49 is DTMF information (fig. 4).

Regarding claims 7 and 20, if menu sets are constructed and configured to send a signal [second signal] after receiving input (page menu sets A-C) from the caller, as used in the rejection for claim 1 above, menu set A is configured to prompt the user if no input has been

received during a predetermined amount of time. (Column 11, lines 32-37). Menu set A is configured such that the caller has 3 seconds to respond the prompt before a no response action is taken. The no response action causes the menu 3 prompt to be played.

Regarding claim 8, using menu set A and menu set C (page 3A above) from the rejection of claim 1 above and inserting number 2 into Next Menu Number of menu 1 in menu set A (page 3A above), a signal [second signal] is sent from menu set A to menu set C if the caller presses "1" after prompt 200 is played (column 11, lines 44-47, column 5, lines 31-39) [the general-purpose block processes the received input by selecting the second signal according to the received input].

Regarding claims 9, 10, and 21, using menu set A (page 3A above) from the rejection of claim 1 above, if the caller depresses any keypad other than "1", menu 4 prompt 202 is played (column 5, lines 37-39). Menu prompt can be configured (column 11, lines 19-21) [general-purpose block determines if there was an error in the received input] [general-purpose block sends an error prompt if there was an error in the received input].

Regarding claim 11, using menu set A (page 3A above) from the rejection of claim 1 above, after the error prompt is played, menu set A continues to receive input from the caller (column 5, lines 50-60) [general-purpose block continues receiving the input after the error prompt is played].

Regarding claim 12, using menu set A (page 3A above) from the rejection of claim 1 above, menu set A [general-purpose block] plays the prompt 200 after the error prompt is played (column 5, lines 50-60).

Regarding claims 13, 22-23, Greco et al. discloses the caller can go from one set of menus to another set of menus any time during the navigation of the menus (column 4, lines 33-37). Multiple menu sets can be constructed (column 4, lines 6-8) [general-purpose blocks and transfer blocks]. Using the constructed menu sets A and C (page 3A above) from the rejection of claim 1, if Next Menu Number of menu 1, menu set A, is configured to send a signal [first signal], menu set B [transfer block] receives a signal from menu set A. Menu set B [transfer block] is configurable to transfer a call to an extension or change the extension number by using action code 105 (column 7, Table 1), as is configured in menu set B [transfer block].

Regarding claim 14, as taught in the rejection for claim 1, by inserting number 2 into Next Menu Number of menu 1 in menu set A, a signal [second signal] is sent from menu set A [general-purpose block] to menu set C [general-purpose block] if the caller presses "1" after prompt 200 is played (column 11, lines 44-47, column 5, lines 31-39).

Regarding claim 17, if memory tables are constructed and the memory tables are configured to send a signal [second signal] after receiving input, as in claim 1 above, the action for touchtone response keys can be configured for specifying input from the caller (column 6, lines 37-40 and page 3A above).

6. Claims 24-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Matthews et al U.S. Patent 4,602,129 (hereinafter.).

Regarding claim 24 and 25, Matthews et al. discloses a voice message system (VMS) (fig. 1). The caller calls the VMS (column 52, lines 1-2). If the caller requests the Name Record feature, the VMS verifies whether the Name Play cost of service is activated. If the Name Play cost of service is activated, the Name Play Feature process [general-purpose block] can be

completed. The VMS prompts the user to record his name (column 55, lines 34-45 fig. 27b). The VMS stores the users spoken name in the users database (column 55, lines 51-56). [updating and modifying the configuration of the selected general-purpose block at run-time]. The next system configuration process [general-purpose block] is choosing a Group Code (column 56, lines 1-45).

Regarding claim 26, Matthews et al. discloses once the user deposits his name in the users database, this feature is available to all recipients of messages from the originator-user that have the Name Play feature available in their cost of service (column 55, lines 3-8). It is inherent that the user's database is monitored by the VMS [object] for the name configuration change.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terry Teague whose telephone number is (703) 305-3417. The examiner can normally be reached on 8-4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

tt
April 15, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

